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3629	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/664,486	PETITO ET AL.
	Examiner	Art Unit	
	KIMBERLY EVANS	3629	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 August 2010</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This action is in response to the Pre-Appeal Brief Request for Review filed August 26, 2010. A Pre-Appeal Brief conference was held and the rejection was withdrawn.

2.   Claims 1-20 are currently pending and have been examined.

Double Patenting

3.   The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.   A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

4.   A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be

commonly owned with this application, or claims an invention made as a result of activities

undertaken within the scope of a joint research agreement.

5.   Effective January 1, 1994, a registered attorney or agent of record may sign a terminal

disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR

3.73(b).

6.   Claims 1-3, 7 and 17 are rejected on the ground of nonstatutory

obviousness-type double patenting as being unpatentable over claims 1-3,

14 and 15 of U.S. Patent No. 7,707,153 B1 in view of Yankovich et al., US

Patent Application No 2003/0110443 A1 since if allowed, would improperly

extend the "right to exclude" already granted patent 7,707,153 B1. The

subject matter claimed in the instant application is fully disclosed in patent

7,707,153B1 and is covered by patent 7,707,153B1 since patent

7,707,153B1 and the application are claiming common subject matter as

follows: at least claims 1-3, of the instant application and claims 2, 3, and

15 of patent 7,707,153B1 disclose a method for processing a property

transaction to include a real estate process via a network accessible by a

plurality of users via a database having at least a table having embedded

rules that define a work-flow for the transaction utilizing a web-based user

interface. The difference being Claim 1 teaches the additional limitation of a

second table defining at least one attribute of a display of information

associated with a property transaction and a web based user interface

allowing access to the database. It would have been obvious to combine the to combine the system and method of Raveis with the electronic form system of Yankovich with because it would provide an efficient process for self-directed routable electronic forms. Furthermore, it is old and well known that traditionally, software applications and architectures that accommodate the form flow of electronic forms use server-side programs to determine the processing, or routing, of a given form. These approaches use data and tables stored separately from the electronic form itself to define a set of rules and routing guidelines.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

(a)   Determining the scope and contents of the prior art.

(b)   Ascertaining the differences between the prior art and the claims at issue.

(c)   Resolving the level of ordinary skill in the pertinent art.

(d)   Considering objective evidence present in the application indicating obviousness or
nonobviousness.

9.   Claims 1-4, 6, 7, 9, 10, and 16-20 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Raveis, JR US Patent Application Publication US2001/0005829A1; in
view of Yankovich et al., US Patent Application No 2003/0110443 A1.

10.   With respect to Claim 1,

Raveis as shown discloses the following limitations,

- *a network accessible by a plurality of users involved in the property transaction;*
  (see at least Figures 2-7, Abstract: "….managing customer relationships throughout a
  real estate transaction cycle over a distributed computer network…." and "…buyers
  and sellers of real estate in a computerized database…"

- *a database, accessible via said network, said database allowing controlled access by
  the plurality of users and storing data related to said client,* (see at least Figures 2-7,
  Abstract: "…providing customers with secure access to the computerized
  database….")

- *a web-based user interface providing access to said database,* (see at least Figures
  2-7, paragraph 18: "…during the real estate transaction cycle and providing
  customers with secure access to the computerized database…"; paragraph 33: "…In
  the preferred embodiment, the computer network 22 is the Internet. The preferred
  method of accessing information on the Internet is the World Wide Web, because
  navigation is intuitive and does not require technical knowledge…")

Raveis teaches all of the limitations described above. Raveis does not distinctly disclose
the following limitations, but Yankovich however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the property transaction and at least a second table defining at least one attribute of a display of information associated with said property transaction*

  (see at least **paragraph 35, Figure 3**: "...FIG. 3 illustrates a flow diagram of self-directed routable electronic form system provided in accordance with the principles of this invention. The significant steps of this flow are further detailed in FIGS. 4-11. As shown in FIG. 3, the present invention permits a self-directed routable electronic form that can guide the user to appropriate routing based on data input on the form without interaction with a server-side application...."; paragraph 41, Figure 9: "...FIG. 9 is a flow diagram of a completed form's submission process 4000 to a server-based routing component resident in a server-side application... Step 24 checks a set of visibility flags associated with approval signature elements, which would be interpreted by the server-side application in order to build a table of the required routing..."; paragraph 66: "...rules engine 1614 includes a work flow component 1618 to configure the various data entry fields for data entry and editing functions... Component 1622 is used to retain various configurable rules modules and browser plug-ins that may be used to configure a particular application container for a specific application... Security component 1624 provides a secure shell around application container 1610 thus preventing unauthorized users from seeing, using, or modifying embedded programs or field properties or data retained within application container 1610...")

- *wherein said user interface is dynamically controlled as a function of the at least one attribute defined in the second table.* (see at least **paragraph 35**: "...In step 1220, server-side application then routes the form to a subsequent user for that user's data entries, such as additional data input, or user approvals or rejections, using electronic messaging to provide a link to the filled-in electronic form submitted by the previous

user..."; **paragraph 36**: "...FIG. 4 is a block diagram illustrating process 1120 of creating an electronic form of FIG. 3. The present invention assumes the existence of an electronic file of some format (e.g. HTML, XML, Acrobat PDF, GIF, MS Word, etc.), that is a facsimile of a paper form 2. In step 3, an electronic file corresponding to form 2 may be created in a document editor/viewer, or created in step 4 by scanning paper form 2 with **an optical scanner**...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the system and method for programmatic routing in an electronic form system of Yankovich because it would provide an efficient process for self-directed routable electronic forms. Furthermore, it is old and well known that traditionally, software applications and architectures that accommodate the form flow of electronic forms use server-side programs to determine the processing, or routing, of a given form. These approaches use data and tables stored separately from the electronic form itself to define a set of rules and routing guidelines. Moreover, the contents of the database are considered non-functional descriptive language and thus are not given patentable weight because they are not functionally involved in the steps recited nor do they alter the recited structural elements. The USPTO need not give patentable weight to descriptive material absent a new and unobvious functional relationship between the descriptive material and the substrate. (See *In re Ngai, 367 F.3d 1336, 1338, 70 USPQ2d 1862, 1863064 (Fed. Cir. 2004)*).

11.   With respect to Claim 2,

Raveis and Yankovich disclose all of the above limitations, Raveis further discloses,

- *the property transaction includes legal services* (see at least paragraph 88: "...notarizing legal documents and Attorney's Fees for legal services provided to the lender may also be charged...")

12.   With respect to Claim 3,

Raveis and Yankovich disclose all of the above limitations. Raveis further discloses,

- *the legal services provided are associated with a closing of a real property transaction, and includes services rendered both prior to and after the closing of the real property transaction* (see at least paragraph 88: "...buyer's and seller's attorney may also appear as a closing or settlement cost..."; paragraph 93: "...the activity file documents and records all the member's real estate transactions, including closing documents; records of home-related purchases, accounting of expenditures and savings garnered as a result of participation...")

13.   With respect to Claim 4,

Raveis and Yankovich disclose all of the above limitations, Yankovich further discloses,

- *web-based user interface is generated in response to code operating on a server on the network, by taking the data in the second table and assembling HTML layout and object information* (see at least paragraph 27: "...a server computer 100 may operate as a web server if the World-Wide Web (WWW) portion of the Internet is used for wide area network 110. Using the HTTP protocol and the HTML or XML coding language across wide-area network 110, web server 100 may communicate across the World-Wide Web with clients 150..."; paragraph 62: "...This user authentication could be implemented by querying the user via a web browser for user ID and password with a submission action of this data once entered. With a valid user confirmed, the server-side application evaluates the submitted E-form fill-in data. Step 1514 checks a set of visibility flags associated with the approval signature elements, which would be interpreted by the server-side application in order to build a table of the required routing. ...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the method and apparatus for routing an electronic form system of Yankovich because it provides an efficient means for electronically displaying forms containing user provided information over a server network.

14. With respect to Claims 6 and 9,

Raveis and Yankovich disclose all of the above limitations. Raveis further discloses,

- *web-based user interface includes navigational information and is dynamically generated in response to information that includes identification of the user.* (see at least paragraph 34: "...the computer network 22 is the Internet...accessing information on the Internet is the World Wide Web, because navigation is intuitive..."; Abstract: "...The method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database...")

15. With respect to Claim 7,

Raveis as shown discloses the following limitations:

- *a network accessible by a plurality of users involved in the property transaction;* (see at least Figures 2-7, Abstract: "....managing customer relationships throughout a real estate transaction cycle over a distributed computer network...." and "...buyers and sellers of real estate in a computerized database..."

- *a database, accessible via said network, allowing controlled access thereto by the plurality of users and storing data related to said client,* (see at least Figures 2-7, Abstract: "...providing customers with secure access to the computerized database....")

Raveis teaches all of the limitations described above. Raveis does not distinctly disclose the following limitations, but Yankovich however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the transaction* (see at least paragraph 66: "...Security component 1624 provides a secure shell around application container 1610 thus preventing unauthorized users from seeing, using, or modifying embedded programs or field properties or data retained within application container 1610. ...")

- *and at least a second table defining attributes for the display of information in said database*

  (see at least Figures 13, paragraph 51: "...the data structure of the PRKB 1300 includes a column and row database table structure. The columns represent the process transaction information (i.e. user identity, process type, title from, title to, user to, time, and action) and the rows represent each unique entry. ...")

- *a user interface responsive to information stored in said second table, that provides access to said database such that the appearance of said user interface is dynamically controlled as a function of the attributes defined in the second table*

  (see at least Figure 7, Paragraph 39: "...Non-visual and visual elements linking process 9B provides a stand-alone E-form that dynamically changes both programmatic and visual elements based on form fill-in data all on the local client processor without communication with a server. Linking process 9B that provides the E-form with the ability to go through dynamic visual and non-visual elements changes can be done via implementation with browser supported languages (e.g. HTML and Java) or by a native application written in C or C++. Various E-form file formats are provided, e.g. Acrobat PDF and HTML, to support linking process 9B and local client execution of programmatic elements...";, Figures 15A-15C, paragraph 61: "...Upon a user (i.e. an E-form submitter) initiating a routing action (Submission, Approval, etc.), which is mostly likely done by clicking on a button in a graphical user interface, the present invention provides the user with a graphical means of selecting the next user, such as a selection list or pull-down list as shown by example in FIG. 14. This

selection list is populated based on applying the learned routing target algorithm against the PRKB ...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the system and method for programmatic routing in an electronic form system of Yankovich because it would provide an efficient process for self-directed routable electronic forms. Furthermore, it is old and well known that traditionally, software applications and architectures that accommodate the form flow of electronic forms use server-side programs to determine the processing, or routing, of a given form. These approaches use data and tables stored separately from the electronic form itself to define a set of rules and routing guidelines. Moreover, the contents of the database are considered non-functional descriptive language and thus are not given patentable weight because they are not functionally involved in the steps recited nor do they alter the recited structural elements. The USPTO need not give patentable weight to descriptive material absent a new and unobvious functional relationship between the descriptive material and the substrate. (See *In re Ngai, 367 F.3d 1336, 1338, 70 USPQ2d 1862, 1863064 (Fed. Cir. 2004)).*

16. With respect to Claim 10,

Raveis and Yankovich disclose all of the above limitations, Yankovich further discloses:

- *wherein the layout of the user interface is a record-set comprising information about each field of the interface*

- *the record-set includes information about the data source of a field of the user interface* (see at least **paragraph 60**: "...As database storage is not infinite, a system parameter would allow the maximum number of records to be stored in the PRKB per "Process Type". As an example, this parameter might be set to 10 (ten) using a first-in-

first-out (FIFO) scheme so that the records in the PRKB are the most recent history.
...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to
combine the system and method of Raveis with the system and method for programmatic
routing in an electronic form system of Yankovich because the data structure of the
process routing knowledge base (PRKB) is an efficient means for storing process
transaction history to include tables, and records and a list of choices to the user when a
routing of the electronic form is taking place.

17.   With respect to Claim 16,

Raveis and Yankovich disclose all of the above limitations. Raveis further discloses,

- *the network hosts a database that is employed to provide system access and
  automated processing of transactions to users from a plurality of organizations* (see at
  least Abstract: "...and providing customers with secure access to the computerized
  database to facilitate monitoring of the active order data, the completed order data and
  the scheduling data..."; paragraph 18:"...the method includes the steps of receiving
  and storing data relating to a plurality of customers including buyers and sellers of real
  estate in a computerized database and paragraph 31: "...environment 10 includes
  server 12, which communicates with a distributed computer network 22...server 12
  hosts multiple websites, houses multiple databases....)

18.   With respect to Claim 17,

Raveis and Yankovich disclose all of the above limitations. Raveis further discloses,

- *providing a network accessible by a plurality of users involved in the transaction;* (see
  at least paragraph 16: "...it would be beneficial to provide a system and method which
  utilizes a distributed computing network to facilitate managing customer relationships
  and the information appertaining thereto..."; paragraph 18: "...The method includes

the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database..")

- *creating a database, accessible via the network, the database allowing controlled access by the plurality of users and storing data related to the transaction,* (see at least paragraph 55: "...Document management system 60 is also operative to enforce access privileges associated with different user groups and roles, such as providing read and/or write access to specific deal folders or sub-folders thereof to authenticated and privileged users....")

- *the database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the transaction* (see at least Figure 1: "...the application includes a set of quality control and data integrity filters that analyze a variety of loan data fields, retrieve data from database sources and score data inconsistencies and variances based on a set of rules derived from experiences with prior fraud cases. ...")

- *and at least a second table defining the attributes of a display of information associated with said transaction;* (see at least Figures 4-7, paragraph 18: "...FIG. 6 is a table illustrating an arrangement of deal level and document folders according to an embodiment of the present invention..."; paragraph 32: "...Transaction management system 50 includes web server or other functionality allowing for the generation of HTML pages in response to requests transmitted from client nodes ... ... transaction management system 50 presents a transaction or deal home page containing links to documents and data associated with the transaction, as well as to transaction-related services and other functionality... transaction management system 50 is further operative to retrieve data from loan tracking system 70 and dynamically create and transmit pages (e.g., a purchase sheet) as users navigate to various pages associated with the transaction..."; paragraph 51: "...In addition, document management system 60 also supports searches by key word, document type, modification date, and any

other available file attribute. In addition, document management system 60 supports

URL-based access to files and documents stored therein, allowing users to email

hypertext links to files and documents...")

- *following the work-flow for the transaction defined by at least the embedded rules in*
  the first table;(see at least paragraph 80: "...Upon verification that the assignment is
  complete, work flow management engine 52 triggers notification module 53 to
  generate and transmit a notification to the newly-assigned tape analyst. ... In one
  embodiment, the notification includes a link to the deal home page corresponding to
  the transaction...")

- *providing access to the database for the plurality of users, via a user interface* (see at
  least paragraph 18: "...during the real estate transaction cycle and providing
  customers with secure access to the computerized database...")

- *dynamically controlling the user interface as a function of data stored in the second*
  table.(see at least paragraph 32: "...transaction management system 50 is further
  operative to retrieve data from loan tracking system 70 and dynamically create and
  transmit pages (e.g., a purchase sheet) as users navigate to various pages associated
  with the transaction...")

19.   With respect to Claims 18 and 19,

Raveis, and Yankovich disclose all of the above limitations. Raveis further discloses,

- *receiving a request from a user computer for display of information; and in response to*
  the request, generating a user interface card having the requested information
  displayed therein, (see at least paragraph 7: "...The Internet uses a client-server
  architecture which is a network-based system that uses client software running on one
  computer to request a specific service, and uses corresponding server software
  running on a second computer to provide access to a shared resource managed by

the second computer. The second computer then connects to the Internet, which

provides the specific service requested…")

- *where the layout and the data depicted in the card are, at least partially, retrieved from*
  the second table

- *controlling the information displayed as a function of the user making the request*

  (see at least Figure 2, paragraph 101: "…Referring once again to FIG. 2, Web

  reporting section 88 of Web site 80 provides a user interface …"; Figure 5, and section

  IV: Web Reporting Section, paragraph 102: "…an exemplary web page relating to a

  vendor…server 12 displays the vendor information…contains a link to policy

  information associated with the vendor….contains several user selectable

  fields….website of the vendor…"; paragraph 103: "…further links may be provided from

  the services sold screen to vendors to facilitate providing requests for proposals…")

20.   With respect to Claim 20,

        Raveis and Yankovich disclose all of the above limitations. Raveis further discloses,

- *controlling the information displayed as a function of the transaction* (see at least

  paragraph 32: "…an Internet server which controls and monitors access to network

  servers…"; Figure 5 and paragraph 103: "…a move consultant would refer to the

  services sold screen 500 when discussing the management of a contacts need for

  goods and services…alternatively a contact may directly access the services sold

  screen to manage their affairs….")

21.   Claims 5, 8 and 11 are rejected under 35 USC 103(a) as being unpatentable over Raveis

        in view of Yankowich in further view of Sorvari et al., US Patent Application Publication No

        2004/0043758 A1.

22.   With respect to Claims 5 and 8,

Raveis and Yankovich disclose all of the above limitations, Yankovich further discloses,

- *web-based user interface is generated in response to software operating on a server on the network* (see at least paragraph 27: "...Using such conventional browsers and the World-Wide Web, clients 150 may access image, graphical, and textual data provided by web server 100 or run Web application software..."), *by taking the data in the second table and generating an XML result set* (see at least paragraph 27: "...Using the HTTP protocol and the HTML or XML coding language across wide-area network 110, web server 100 may communicate across the World-Wide Web with clients 150 ...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the method and apparatus for routing an electronic form system of Yankovich because it provides an efficient means for electronically displaying forms containing user provided information over a server network.

Raveis and Yankovich disclose all of the above limitations, the combination of Raveis and Yankovich does not distinctly disclose the following limitations, but Sorvari however as shown discloses,

- *and an XSL translation sheet, and where software operating on a user computer loads the XSL translation sheet and process the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least paragraph 183: "...An XSL Stylesheet can be used to display the desired content of the recommendations XML file 1157 in the browser 801..."

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis and the method and apparatus for routing an electronic form system of Yankovich with the system and method for providing context sensitive recommendations to digital services of Sorvari because Extensible Stylesheet Language (XSL) can provide flexible document presentation, enabling the content of an

XML file to be displayed on the large display screen of a personal computer, as well as in the browser.

23.　　With respect to Claim 11,

Raveis, Yankovich and Sorvari disclose all of the above limitations, Yankovich further discloses:

- *the record-set includes information about the data source of a field of the user interface* (see at least paragraph 60: "...As database storage is not infinite, a system parameter would allow the maximum number of records to be stored in the PRKB per "Process Type". As an example, this parameter might be set to 10 (ten) using a first-in-first-out (FIFO) scheme so that the records in the PRKB are the most recent history. ...")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis and the system and method for providing context sensitive recommendations to digital services of Sorvari with the system and method for programmatic routing in an electronic form system of Yankovich because the data structure of the process routing knowledge base (PRKB) is an efficient means for storing process transaction history to include tables, and records and a list of choices to the user when a routing of the electronic form is taking place.

24.　　Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Raveis, in view of Yankovich, in further view of Sarvari, in further view of Horn et al., US Patent Application Publication No US 2002/0156688 A1.

25.　　With respect to Claim 12,

Raveis, Yankovih, and Sarvari disclose all of the above limitations, the combination of

Raveis Yankovih, and Sarvari does not distinctly disclose the following limitations, but Horn

however as shown discloses,

- *the record-set includes a stored procedure associated with the field* (see at least
  paragraph 192: "...Database Table is a collection of information in a relational
  database that is organized into fields and rows. Individual rows (records) are selected
  using an SQL Statement invoked from a Stored Procedure. ...."; paragraph 366:
  "...Each nodal numeric identifier has an associated array of name attributes
  representing the multitude of languages served across different locales..." ; paragraph
  644: "...The stored SQL procedure returns a Recordset to the server script....")

It would have been obvious to one of ordinary skill in the art at the time of the invention to

combine the system and method of Raveis and the system and method for programmatic

routing in an electronic form system of Yankovich and the system and method for providing

context sensitive recommendations to digital services of Sorvari with the global electronic

commerce system of Horn because the "Global Store" provides buyers with adequate

information to make buying decisions via an efficient universal method of organizing and

displaying product categories for selection by Buyers.

26.   Claims 13-15 are rejected under 35 USC 103(a) as being unpatentable over Raveis, in

view of Yankovich, in further view of Horn et al., US Patent Application Publication No US

2002/0156688 A1.

27.   With respect to Claims 13 - 15,

Raveis, and Yankovich disclose all of the above limitations, the combination of Raveis and

Yankovih does not distinctly disclose the following limitations, but Horn however as shown

discloses,

- *the record-set includes an array*

  (see at least paragraph 192: "...Database Table is a collection of information in a relational database that is organized into fields and rows. Individual rows (records) are selected using an SQL Statement invoked from a Stored Procedure. ....."; paragraph 366: "...Each nodal numeric identifier has an associated array of name attributes representing the multitude of languages served across different locales..." ; paragraph 644: "...The stored SQL procedure returns a Recordset to the server script....")

- *the record-set includes an object oriented structure* (see at least paragraph 251: "...Object Oriented Programming (OOP) provides a way for digital information to be packaged in a manner that enables re-use of software code and, thereby, simplifying programming....")

- *the record-set includes data to control the information displayed in response to data identifying a transaction file that a user is seeking access to* (see at paragraph 215: "...Hidden Fields are embedded in a form in a Web page sent to a Web Browser. The field does not appear in the Browser. The Hidden Field can be used to identify the particular session or transaction identity....";)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis and the system and method for programmatic routing in an electronic form system of Yankovich with the global electronic commerce system of Horn because the "Global Store" provides buyers with adequate information to make buying decisions via an efficient universal method of organizing and displaying product categories for selection by Buyers. Using sequential drop-down menus and a clearly organized hierarchy, a Buyer quickly and intuitively navigates among thousands of possible categories of products to select a desired category. The process is easily understood, powerful, and efficient.

Response to Arguments

Applicant's arguments filed August 31, 2010 have been fully considered but are not persuasive. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111[R-1] Interpretation of Claims-Broadest Reasonable Interpretation. During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification'. Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re* Prater, 162 USPQ 541,550-51 (CCPA 1969). Raveis discloses a system and method for managing customer relationships over a distributed computer network. Yankovich discloses a method and apparatus for programmatic learned routing in an electronic form system and an efficient means for electronically displaying forms containing user provided information over a server network. Sorvari is used in a minor capacity to disclose XSL styling sheets, while Horn is used to disclose an object oriented record-sheet. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the system and method for programmatic routing in an electronic form system of Yankovich and method for providing context sensitive recommendations to digital services of Sorvari with the global electronic commerce system of Horn because it would provide an efficient process for providing buyers adequate information to make buying decisions via product categories and self-directed routable electronic forms..

Furthermore, it is old and well known that traditionally, software applications and architectures that accommodate the form flow of electronic forms use server-side programs to determine the processing, or routing, of a given form. These approaches use data and tables stored separately from the electronic form itself to define a set of rules and routing guidelines. Moreover, the contents of the database are considered non-

functional descriptive language and thus are not given patentable weight because they are not functionally involved in the steps recited nor do they alter the recited structural elements. The USPTO need not give patentable weight to descriptive material absent a new and unobvious functional relationship between the descriptive material and the substrate. (See *In re Ngai, 367 F.3d 1336, 1338, 70 USPQ2d 1862, 1863064 (Fed. Cir. 2004)).*

Conclusion

28.   Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kimberly L. Evans** whose telephone number is **571.270.3929.** The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Jami Plucinski** can be reached at **571.272.6811.**

29.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free). Any response to this action should be mailed to: **Commissioner of Patents and Trademarks**, P.O. Box 1450, Alexandria, VA 22313-1450 or faxed to **571-273-8300**. Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**: Randolph Building 401 Dulany Street, Alexandria, VA 22314.

/KIMBERLY EVANS/

Examiner, Art Unit 3629

/Jamisue A. Plucinski/

Supervisory Patent Examiner, Art Unit 3629